

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Robert Hart	Team: Team # 4	CCRB Case #: 201304762	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 05/24/2013 4:15 PM	Location of Incident: Avenue X and Bay 50th Street at the "D" train station.	Precinct: 60	18 Mo. SOL 11/24/2014	EO SOL 11/24/2014	
Date/Time CV Reported Fri, 05/24/2013 4:15 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Fri, 05/31/2013 4:18 PM		
Complainant/Victim	Type	Home Address			
Witness(es)	Home Address				
Subject Officer(s)	Shield	TaxID	Command		
1. POM Faisal Ejaz	08993	948019	TB DT34		
Officer(s)	Allegation			Investigator Recommendation	
A.POM Faisal Ejaz	Force: PO Faisal Ejaz used physical force against § 87(2)(b)				

Case Summary

On May 24, 2013, § 87(2)(b) filed this complaint via phone with IAB. On May 31, 2013, IAB forwarded the complaint to the CCRB under log number 13-22727. On June 5, 2013, § 87(2)(b) provided a telephone statement to the CCRB. The following is based on what she told the CCRB over the phone.

At approximately 4:15PM on May 24, 2013, § 87(2)(b) who is § 87(2)(b) years old, was in the Bay 50th Street “B” train subway station located in the vicinity of Avenue X and Bay 50th Street in Brooklyn. § 87(2)(b) and about nine classmates from § 87(2)(b) were waiting for the train to arrive within the station and had already gone through the turnstile. § 87(2)(b) and her classmates had returned from a school trip and were dressed in semi-formal attire and § 87(2)(b) carried an umbrella in her hand. The Bay 50th Street station has what § 87(2)(b) described as a “lobby” on the ground floor. The platform for the “B” train is elevated above street level and is outside, and one must go through the lobby and climb a flight of stairs to reach the platform.

§ 87(2)(b) and her friends were not dressed for the cold weather and elected to wait for the train in the station lobby rather than on the platform. PO1, identified by § 87(2)(b) a friend of § 87(2)(b) from his nameplate and shield number as PO Faisal Ejaz #8993, emerged from a door within the lobby and approached § 87(2)(b) and her friends. § 87(2)(b) thought that PO Ejaz may have approached because her friends were being too noisy. § 87(2)(b) described PO Ejaz as a uniformed Indian male about 5’8 tall with short hair. PO Ejaz told the group that he did not want them in the lobby and instructed the group to go up the stairs and wait on the platform. Some of § 87(2)(b) classmates tried to explain that it was too cold to wait on the platform, but PO Ejaz said that he did not care and again instructed them to go upstairs to the platform. § 87(2)(b) and some of her classmates complied with PO Ejaz’s instruction while some of her classmates remained in the lobby. As § 87(2)(b) walked up the stairs, PO Ejaz grabbed both of her arms from behind and pushed her (**Allegation A**). As he pushed her, PO Ejaz told § 87(2)(b) “You’re not moving fast enough.” § 87(2)(b) did not fall to the ground, but PO Ejaz grabbed her arm with enough force that the umbrella she was carrying broke due to the contact between herself and the officer.

PO Faisal Ejaz’s shield number is 8993 and tax number 948019. He is listed in CTS as an Asian male and is assigned to Transit Bureau District 34. The Bay 50th Street subway station is within the confines of Transit Bureau District 34. § 87(2)(b) recorded PO Ejaz’s name and shield number after seeing him push § 87(2)(b) § 87(2)(g). After her telephone statement on June 5, 2013, mediation was discussed and § 87(2)(b) asked for time to consult with her mother, § 87(2)(b). On June 13, 2013, the investigator contacted § 87(2)(b) and she stated that she wished to withdraw her complaint. § 87(2)(b) affirmed that she had not been coerced into withdrawing the complaint by any member of the NYPD or the CCRB and did so of her own free will. The recording of this conversation is located in IA#6 and § 87(2)(b) expressed her desire to withdraw the complaint at 1:04. On June 7, 2013, the investigator sent § 87(2)(b) a complaint withdrawn letter and it will be added to the case file once it is returned to the CCRB. On June 13, 2013, Manager Rosen reviewed the withdrawal audio and confirmed that it adhered to agency standards. § 87(2)(g)

Team: 4

Investigator: _____

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Supervisor: _____

Title/Signature	Print	Date
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Reviewer: _____

Title/Signature	Print	Date
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Reviewer: _____

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